

REMARKS

Claims 12-15 are currently pending in the application, of which claim 12 is in independent form. Claims 1-11, previously withdrawn, are hereby canceled. Claims 12 and 13 are amended, and claims 16-20 are newly canceled. No new claims are added.

Allowable Subject Matter

The claims have been amended substantially in accord with the Examiner's proposed changes presented on page 7 of the Office Action. Claim 15 is not currently amended, however, as its ultimate dependence from now-amended claim 12 is believed to afford claim 15 allowability.

Objection Under 35 U.S.C. 132(a)

The Office Action objects to the term "substantially", amended to the claims in the previous response, and asserts that such term is new matter. Applicant maintains that the specification and provisional application provide indirect support for this feature. However, in order to expedite prosecution, the term is removed from the claims in accordance with the Office Action proposal. (See OA, page 7.) Withdrawal of the objection is requested.

Rejections under 35 U.S.C. § 112 ¶1

The Office Action rejects claims 13, 16-17, and 20 as indefinite because "the Examiner does not understand what is being claimed with respect to the inside surface being closer along the taper profile."

The Examiner alleges that a mandrel appears to be implicitly recited in the claim. Applicant does not necessarily agree; a profile (such as a taper profile) need not specify or imply any particular *object* to define its parameters. Nevertheless, in order to expedite prosecution, claim 13 has been amended to remove the offending terminology in accordance with the Office Action proposal. (OA, page 7.). Claims 16-17 and 20 are canceled, making their rejection moot. Withdrawal of the rejection and reconsideration of claim 13 are respectfully requested.

Rejections under 35 U.S.C. § 103(a)

The Office Action rejects claims 12-14 and 16-20 under § 103(a) as being unpatentable over U.S. Patent No. 5,028,464 issued to Shigetoh (hereinafter “Shigetoh”) in view of U.S. Patent No. 4,455,022 issued to Wright (hereinafter “Wright”) or U.S. Patent No. 3,963,239 issued to Mann (hereinafter “Mann”). Claim 14 is alternatively rejected under § 103(a) as unpatentable over Shigetoh in view of Wright or Mann and further in view of Examiner’s Official Notice.

Claims 16-20 are canceled; their rejection is therefore moot.

Independent claim 12, has been amended in accord with Examiner’s proposal on Page 7 of the Office Action to recite: “A family of tubular golf club shafts ... *wherein said shafts are of a same predetermined length.*”

As acknowledged by the Examiner, none of the applied prior art references discloses this feature. Accordingly, Applicants believe that claim 12 is in condition for allowance. Claims 12-15 depend from claim 12 and are therefore believed to be in condition for allowance for at least the same reasons. Withdrawal of the rejection and reconsideration of claims 12-15 are respectfully requested.

Conclusion

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Leonard R. Svensson Reg. No. 30,330 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/598,115
Amendment dated February 2, 2010
Reply to Office Action of October 29, 2009

Docket No.: L0786-01160PUS2

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: February 2, 2010

Respectfully submitted,

By 

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